IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 690 of 2005
In
Writ Petition No. 1647 of 2005

Dashrath Laxman Rahate .. Appellant
V/s.
M/s. Oriental Containers Ltd. .. Respondents

Mr. R.D. Bhatt for the Appellant
Mr. V.P. Vaidya for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 04.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondents. By this Appeal, the Appellant is challenging the order dated 27.6.2005 passed by the learned Single Judge declining to interfere with regard to the order passed by the Labour Court, Mumbai, rejecting the reference and refusing to pass an order of reinstatement.

2. It appears that the Appellant was dismissed from service after a full fledged inquiry which was conducted into his mis-conduct. Record indicates that the Appellant has been remaining absent right from 1993, for a period of 199 days and again in the year 1994 for a period of 150 days and thereafter, has been continuously absent from 26.10.1995 unauthorisedly. After the full fledged inquiry, the Appellant was dismissed. The Labour Court, after considering the material on record, came to a clear conclusion that the

enquiry was a fair and proper and even the punishment

was just and proper. The learned Single Judge has considered all the aspects and came to conclusion that there was no error apparent on the face of record and refused to interfere.

3. We also do not find anything erroneous in the order passed by the Labour Court as well as the learned Single Judge. Appeal is devoid of merits, the same stands dismissed.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)